

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

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NICOLE P. ERAMO,

Plaintiff,

- against -

ROLLING STONE LLC, SABRINA RUBIN,  
ERDELY, AND WENNER MEDIA LLC,

Defendants.  
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Case No. 3:15-cv-00023-GEC

**DEFENDANTS' RULE 26(a)(3) WITNESS LIST**

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and the February 18, 2016 Joint Second Amended Scheduling Order entered in this case (Dkt. 49) ("Scheduling Order"), Defendants Rolling Stone LLC, Sabrina Rubin Erdely, and Wenner Media LLC (collectively "Defendants"), tender the following list of witnesses to be used at trial:

**A. Witnesses Defendants Expect to Present at Trial, Other Than Solely for Impeachment (\* indicates witnesses who may be called at trial if the need arises)**

1. Nicole Eramo
2. Sabrina Rubin Erdely
3. Sean Woods
4. Elisabeth Garber-Paul
5. Allen Groves
6. Susan Davis
7. Alexandria Pinkleton
8. Susan Russell

9. Laura Dunn
10. John Foubert
11. Joseph Hutchinson
12. Patricia Lampkin
13. Michael A. Gibson
14. Michael Provus\*

Defendants reserve the right to call any witnesses identified by Plaintiff, to call each witness in either or both the liability or damage phase, to call custodian of records, if needed to overcome any objection or secure admission of documents, and to amend this list to add witnesses that may be necessary for any proper purpose. Defendants also reserve the right to call additional witnesses as necessary for impeachment purposes or in rebuttal to the evidence of Plaintiff in this action.

**B. Witnesses Whose Testimony Defendants Expect to Present by Deposition, Other Than Solely for Impeachment**

1. Emily Renda, via deposition of March 18, 2016:

8:2-9:6  
11:12-13:2  
20:6-19  
21:5-22:21\*\*  
26:5-28:15  
29:24-30:15  
32:5-22  
33:17-25  
34:18-20  
35:24-36:16  
38:1-39:4  
39:10-40:23  
41:7-9  
42:5-43:18  
61:1-10  
67:7-69:4  
71:4-74:9  
77:18-78:13

86:20-87:20  
128:16-129:3  
132:15-133:2  
134:18-22  
135:3-16  
136:1-137:10  
138:2-142:16  
144:21-148:6  
148:8-151:21  
154:11-156:14  
157:21-159:2  
159:8-161:15  
162:5-19\*\*  
163:14-25  
167:12-168:15  
168:20-169:11  
169:20-170:20  
171:12-173:5  
176:2-8  
176:17-180:2  
181:5-17  
182:11-183:2  
183:20-185:24  
186:6-187:8  
187:16-187:25  
191:1-192:17  
193:9-21

2. Will Dana, via deposition of March 15, 2016:

5:5-18  
11:14 – 12:20  
13:19 – 15:11  
17:6-18:8  
18:9 – 19:21  
37:22-39:1  
60:7-61:3  
63:1-63:6  
64:4-65:20  
95:20-96:4  
108:4-108:11  
108:18-109:5  
109:10-110:18  
118:20-119:24  
120:21-121:5  
127:5-129:4

130:2-130:12  
135:19-138:20  
141:7-142:10  
145:24-146:17  
148:14-150:4  
154:9-154:24  
171:22-173:6  
182:16-183:14  
185:19-186:22  
191:22-193:14  
193:15-195:10  
203:5-203:22  
207:24-208:18  
217:25 – 219:10  
246:25-248:4  
250:5-252:21  
257:5-258:2  
262:19-263:2  
286:13-287:20  
288:22-289:14  
304:16-304:24  
306:19-307:23  
366:4-367:18  
370:8-370:20

**3.** John Ritter, via deposition of May 13, 2016:

7:1-14  
9:14-21  
12:3-5  
13:21-14:25  
17:9-18:19  
19:14-25  
20:19-21:3  
22:10-21  
23:20-25  
24:8-20  
25:10-26:13  
27:11-28:8  
28:12-19  
30:14-22  
32:9-16  
33:21-24  
35:12-36:13  
37:13-22  
39:17-24

42:5-43:16  
48:6-49:25  
53:14-20;  
54:14-55:2  
59:22-62:2  
62:3-64:20  
64:22-66:17  
66:18-67:25  
68:13-69:4  
77:24-78:13  
81:14-82:23  
88:6-15  
89:21-90:6  
92:9-25  
94:13-23  
95:5-17  
98:11-13

**4.** Jason Fine, via 30(b)(6) deposition of April 14, 2016:

7:2-5  
9:13-17:18  
18:21-33:10  
34:19-37:21

**5.** Jann Wenner, via deposition of May 11, 2016:

4:8-4:14  
7:20-8:19  
17:17-17:25  
20:10-20:20  
22:8-22:23  
26:9-27:25  
34:23-35:23  
50:11-52:3  
54:9-55:3  
59:24-60:5\*\*  
82:8-84:11  
85:19-87:3  
92:18-93:5  
93:17-97:7  
100:14-101:11  
102:1-102:25  
106:16-106:23  
109:25-110:16  
120:15-124:3  
122:23-124:3

129:21-130:8  
131:4-131:23  
138:16-139:8  
144:1 – 145:4\*, \*\*  
165:12-166:2\*\*  
166:15-166:21\*\*  
167:8-167:23\*  
169:1-169:18  
184:7-186:15  
202:17-204:3 \*\*  
206:4-206:21\*\*  
207:23-208:3

6. Alvin Ling, via 30(b)(6) deposition of April 13, 2016:

6:2-7:16\*\*  
7:17-20\*\*  
10:20-13:6\*\*  
13:7-15:11\*\*  
16:11-21\*\*  
56:22-58:5\*\*

7. University of Virginia by 30(b)(6) designation of Patricia Lampkin, and at her personal deposition taken on April 28, 2016<sup>1</sup>

6:4-9:14\*\*  
12:23-14:1\*\*  
14:2-13  
14:14-15:4  
15:18-16:10  
17:5-23  
18:20-20:15  
20:16-21:9  
23:22-24:18  
25:9-26:24  
29:16-32:4  
33:8-35:17  
36:1-37:25  
38:12-41:2  
41:3-42:23  
42:24-44:8  
44:20-45:7  
47:20-48:25

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<sup>1</sup> Defendants subpoenaed Ms. Lampkin, but understand that family circumstances may prevent her from being in Charlottesville during the trial. In the event Ms. Lampkin becomes available, Defendants reserve the right to call her as a live trial witness.

49:6-51:4  
51:8-52:19  
53:2-55:1  
55:16-57:2  
57:13-60:4\*\*  
60:5-18\*, \*\*  
61:13-20\*, \*\*  
62:6-12\*, \*\*  
63:65:1\*, \*\*  
68:6-68:19\*, \*\*  
72:11-25\*, \*\*  
73:1-25\*\*  
74:17-75:14\*\*  
76:3-81:1\*\*  
81:3-20\*\*  
81:21-82:9\*\*  
82:25-84:19\*\*  
88:19-90:7\*\*  
90:12-15\*\*  
91:8-10\*\*  
91:11-92:14\*\*  
99:3-100:4\*\*  
108:19-109:1\*\*  
109:3-11\*\*  
109:24-111:22\*\*

8. University of Virginia by 30(b)(6) designation of Allen Groves, at a deposition taken on April 26 and 27, 2016:

7:4-8:12  
10:9-15  
11:7-15  
14:10-15:2  
118:21-119:23  
124:7-24  
151:24-152:3  
165:4-167:21  
201:20-202:5  
264:5-265:3  
283:6 – 287:16  
292:10-293:5  
293:14-22  
297:6-18  
298:2-7  
301:2-14  
303: 1-5  
308:3-14

9. University of Virginia by 30(b)(6) designation of Susan Davis, at a deposition taken on April 27 and April 28, 2016

April 27, 2016:

7:14-25  
8:16 – 9:16  
10:14 – 20  
11:20 – 12:9  
13:4-10  
13:15-19  
13:25 – 14:4  
17:7-19  
18:13 – 19:14  
20:20 – 22:14  
23:7-14  
23:25 – 24:2  
24:11 – 26:1  
30:1-24  
32:5-23  
56:10 – 58:7  
71:16 – 72:11  
74:3 – 75:17  
77:15 – 78:21  
79:11-25  
82:16 – 83:3  
83:11-19  
84:8 – 85:14  
87:14 – 88:6  
88:19-21  
91:1-4  
91:10-12  
93:23 – 95:13  
95:21 – 96:1  
97:6-22  
104:10 – 105:9  
105:11-13  
107:15 – 108:12  
110:3-17  
122:22 - 123:13  
123:20-22  
125:7 – 127:16

April 28, 2016:

139:18 – 140:2  
142:6 – 143:10



Defendants offer designations marked with one asterisk (\*) subject to the Court's ruling on their motion in limine # 5 to exclude the conclusions, opinions, and findings of the Report of the Columbia School of Journalism. Defendants offer designations marked with two asterisks (\*\*) for the damages phase of trial, but reserve the right to offer them during the liability if the need arises. Defendants may counter-designate additional testimony as permitted by the Rules and the Scheduling Order, and/or may offer designated testimony for additional witnesses or additional portions from the depositions of the above-referenced witnesses, depending on the designations of Plaintiff. Defendants also reserve the right to read additional testimony or show video taped deposition testimony into the record for purposes of impeachment of a witness, as well as the right to read into the record additional 30(b)(6) deposition testimony of witnesses appearing at trial.

Dated: New York, New York  
October 3, 2016

DAVIS WRIGHT TREMAINE LLP

By: /s/ Elizabeth A. McNamara

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*Attorneys for Defendants Rolling Stone LLC,  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2016, the foregoing was served by CM/ECF on counsel of record for all parties to this action. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Elizabeth A. McNamara  
Elizabeth A. McNamara